

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DANIEL B. GILLESPIE

v.

JOSEPH STUART and STEVE GARBER

§
§
§
§
§

CIVIL ACTION NO. 1:07cv977-LG-RHW

PETITIONER

RESPONDENTS

JUDGMENT

This matter having come on to be heard on the Proposed Findings of Fact and Recommendation of United States Magistrate Judge Robert H. Walker [19] , the Court, after a full review and consideration of the Proposed Findings of Fact and Recommendation, the pleadings on file, and the relevant legal authority, finds that in accord with the Order entered herewith,

IT IS ORDERED AND ADJUDGED that the Proposed Findings of Fact and Recommendation of Magistrate Judge Robert H. Walker entered on March 6, 2008, be, and the same hereby is, adopted as the finding of this Court. The Petitioner's Petition for Writ of Habeas Corpus is hereby dismissed without prejudice.

SO ORDERED AND ADJUDGED this the 25th day of March, 2008.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE